
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Ramar Communications, Inc.)	File No.: EB-FIELDSCR-13-00008919
Licensee of Stations KLBB-FM, KTTU-FM,)	
KLZK-FM, KXTQ-FM and KJTV-AM)	NOV No.: V201332500059
)	
Lubbock, Texas)	Facility ID: 88795, 61581, 54684,
)	55062 and 55061

NOTICE OF VIOLATION

Released: July 3, 2013

By the District Director, Dallas Office, South Central Region, Enforcement Bureau:

1. This is a Notice of Violation (Notice) issued pursuant to Section 1.89 of the Commission's rules (Rules)¹ to Ramar Communications, Inc., licensee of radio stations KLBB-FM, KTTU-FM, KLZK-FM, KXTQ-FM and KJTV-AM in Lubbock, Texas (collectively the Stations). Pursuant to Section 1.89(a) of the Rules, issuance of this Notice does not preclude the Enforcement Bureau from further action if warranted, including issuing a Notice of Apparent Liability for Forfeiture for the violation(s) noted herein.²

2. On May 8, 2013, an agent of the Enforcement Bureau's Dallas Office inspected the EAS equipment of radio stations KLBB-FM, KTTU-FM, KLZK-FM, KXTQ-FM and KJTV-AM³ located at Lubbock, Texas, and observed the following violation(s):

- a. 47 C.F.R. § 11.52(d): "[Emergency Alert System] EAS Participants must monitor two EAS sources. The monitoring assignments of each broadcast station, cable system and wireless cable system are specified in the State EAS Plan and FCC Mapbook. They are developed in accordance with FCC monitoring priorities." At the time of the inspection, the Stations were monitoring three sources, but one of them was not the assigned LP2 station. The Stations did not have a monitoring assignment waiver from the Texas State EAS Plan. Moreover, the assigned LP1 station had no input signal (noise signal).

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.89(a).

³ The Stations are co-located and co-owned and share EAS equipment pursuant to Section 11.51(l) of the Rules.

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- b. 73.1820(a)(1)(iii): Entries must be made in the station log . . . The following information must be entered: “An entry of each test and activation of the Emergency Alert System (EAS) pursuant to the requirement of part 11 of this chapter and the EAS Operating Handbook. Stations may keep EAS data in a special log which shall be maintained at a convenient location; however, this log is considered part of the station log.” At the time of the inspection, the Stations did not have a station log or EAS log, documenting any EAS tests or activations.

3. As the nation’s emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The Commission takes seriously any violations of the Rules implementing the EAS and expects full compliance from its licensees.

4. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,⁴ and Section 1.89 of the Rules, we seek additional information concerning the violations and any remedial actions taken. Therefore, Ramar Communications, Inc. must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.⁵

5. In accordance with Section 1.16 of the Rules, we direct Ramar Communications, Inc. to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Ramar Communications, Inc. with personal knowledge of the representations provided in Ramar Communications, Inc.’s response, verifying the truth and accuracy of the information therein,⁶ and confirming that all of the information requested by this Notice which is in the licensee’s possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁷

6. All replies and documentation sent in response to this Notice should be marked with the

⁴ 47 U.S.C. § 308(b).

⁵ 47 C.F.R. § 1.89(c).

⁶ Section 1.16 of the Rules provides that “[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : ‘I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)’.” 47 C.F.R. § 1.16.

⁷ 18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Dallas Office
9330 LBJ Freeway
Suite 1170
Dallas, TX 75243

7. This Notice shall be sent to Ramar Communications, Inc. at its address of record.

8. The Privacy Act of 1974⁸ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

James D. Wells
District Director
Dallas District Office
South Central Region
Enforcement Bureau

⁸ P.L. 93-579, 5 U.S.C. § 552a(e)(3).